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### FAX TRANSMISSION COVER LETTER

TO: Commissioner for Patents

Attn: Examiner K. Mullen

DATE: November 17, 2005

FROM: David M. Crompton

Mail Stop Amendment
P.O. Box 1450

OUR REF: 1201.1112101

Alexandria, VA 22313-1450 TELEPHONE: 612-677-9050

Total pages, including cover letter: 9

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Title of Document(s) Transmitted: AMENDMENT

Applicant: Gust H. Bardy et al.

Serial No.: 09/940,378 Filed: August 27, 2001 Group Art Unit: 3762 Our Ref. No.: 1201.1112101

Confirmation No.: 2603
Customer No.: 21691

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November 17, 2005

Date

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PATENT

## UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Gust H. Bardy et al.

Confirmation No.: 2603

Serial No.: 09/940,378

Examiner: K. Mullen

Filing Date: August 27, 2001

Group Art Unit: 3766

Docket No.:

1201.1112101

Customer No.: 21691

For:

BIPHASIC WAVEFORM ANTI-BRADYCARDIA PACING FOR A

SUBCUTANEOUS IMPLANTABLE CARDIOVERTER-DEFIBRILLATOR

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

#### AMENDMENT

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8 (1(i)(B))

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Kathleen L. Boekley

Type or print name of person signing certification

Kocklen & Bockly

November 17, 2005

Date

Dear Sir:

This paper is in response to the Office Action mailed September 1, 2005, with a shortened statutory period set to expire on December 1, 2005. This paper is filed within the set period for response such that no extension of time is necessary.

Please consider the following amendments and/or remarks:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.